

**JOINT ELECTRICITY REGULATORY COMMISSION FOR
THE STATE OF GOA AND UNION TERRITORIES
GURGAON**

Coram*
Shri S.K.Chaturvedi, Member

In the matter of

Petition for approval of agreement for hiring of 5 MW Capacity DG between Electricity Department, Andaman & Nicobar Administration and M/s New Bharat Engineering, Navi Mumbai under section 86 (1) of Electricity Act, 2003.

And in the matter of

The Electricity Department, A&N Administration, Vidyut Bhawan, Port Blair-744101

Order

22.08.2013

ED -Andaman & Nicobar Administration – petitioner has filed the present petition under section 86 (1) of Electricity Act, 2003 for approval of agreement for hiring of 5 MW Capacity DG between Electricity Department, Andaman & Nicobar Administration and M/s New Bharat Engineering, Navi Mumbai.

The Commission held hearing on 14.06.2013 and again scheduled pre- admission hearing on 22.07.2013 on request of representative of the petitioner.

The petitioner on 22.07.2013 filed application for Condonation of delay in filing Petition for approval of agreement for hiring of 5 MW Capacity DG between Electricity Department, Andaman & Nicobar Administration and M/s New Bharat Engineering, Navi Mumbai under section 86 (1) of Electricity Act, 2003. The Commission held hearing on 22.07.2013 and on prayer of representative of the petitioner scheduled hearing on 22.08.2013.

The Commission on 21.08.2013 received an application/ petition from the petitioner stating that ED- A&N Administration is in process of preparation of draft affidavit cum- petition on the subject matter as per directions of the Commission in the order dated 22.07.2013. The preparation and finalization of affidavit and approval from competent authority may take more time. Therefore, it will be difficult for the petitioner to file affidavit and appear before the Commission on 22.08.2013. They prayed for 30 days time for preparing and submitting affidavit. They also prayed that the petition be scheduled for hearing on 7.10.2013 date already scheduled for hearing in petition no. 77/2012.

The Commission considered the request of the petitioner. The Commission observed that the petitioner is in habit of non appearance in hearings and non-compliance of the orders and directions issued by the Commission in hearings. The Commission has taken a very serious note for non appearance and non-compliance of its orders and directions by the petitioner. The Commission directed the petitioner to be careful in future and comply all orders and directions issued by the Commission without fail.

The Commission in the interest of justice and for proper adjudication of the matter in issue acceded the request of the petitioner and directed to file affidavit cum petition, if any, on or before 23.09.2013.

Scheduled for hearing 7.10.2013 at 11:00 AM.

Sd/-

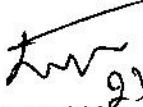
(S.K.Chaturvedi)

Member

Chairperson (Vacant)

- * Post of the Chairperson is vacant. As per proviso of Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 for review of its own orders "Coram is all Members". Whereas according to provisions of Section 93 of the Electricity Act, 2003 no act or proceedings of the appropriate Commission shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the Constitution of the appropriate Commission. So the Member only constitute a valid quorum.

Certified Copy


(R.K. Malik)

Secretary

Commission
Indies